

# **EXHIBIT F**

Russell F. Dunn, Ph.D.

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COMMONWEALTH OF MASSACHUSETTS  
MIDDLESEX, ss. SUPERIOR COURT DEPARTMENT  
OF THE TRIAL COURT

ALBRIGHT, Diane

Plaintiff,

v.

BOSTON SCIENTIFIC CORP.,  
(d/b/a, MANSFIELD  
SCIENTIFIC, INC., &  
MICROVASIVE INC.

Defendants.

Civil Action No.  
MICV2012-00909

CARDENAS, Maria

Plaintiff,

v.

BOSTON SCIENTIFIC CORP.,  
(d/b/a, MANSFIELD  
SCIENTIFIC, INC.,  
MICROVASIVE INC.) and  
John Doe Corporation 1-50

Defendants.

Civil Action No.  
MICV2012-02912

OROZCO, Ronda and Tony

Plaintiffs,

v.

BOSTON SCIENTIFIC CORP.,  
(d/b/a, MANSFIELD  
SCIENTIFIC, INC.,  
MICROVASIVE INC.) and  
John Doe Corporation 1-50

Defendants.

Civil Action No.  
MICV2012-03068

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<p>1 WILSON, Julia    2 Plaintiff,  Civil Action No.  3 v.  MICV2012-02626  4    5 BOSTON SCIENTIFIC CORP.,    6 (d/b/a, MANSFIELD    7 SCIENTIFIC, INC.,    8 MICROVASIVE INC.) and    9 John Doe Corporation 1-50   10 Defendants.    11    12 DEBORAH A. BARBA and    13 THOMAS D. BARBA, her  Civil Action No.  14 husband  N11C-08-050 MMJ  15 Plaintiffs,    16 v.    17 JOHN C. CARLSON, D.O.,    18 MATERNITY ASSOCIATES,    19 P.A., and BOSTON    20 SCIENTIFIC CORPORATION, A   21 Delaware Corporation,    22 Defendants.    23    24 Videotaped deposition of RUSSELL F. DUNN,  25 PH.D., a witness in the above-entitled cause,  taken before Cynthia Odom, Certified  Shorthand Reporter and Notary Public in  and for Davidson County, Tennessee, at  2555 West End Avenue, Nashville,  Tennessee, on the 21st day of February,  2014, commencing at 8:14 a.m., pursuant to  the Massachusetts Rules of Civil  Procedure.</p>	<p>1 STIPULATION  2 The deposition of RUSSELL F. DUNN,  3 PH.D., taken by agreement at 2555 West End  4 Avenue, Nashville, Tennessee, beginning at  5 8:14 A.M., February 21, 2014, on behalf of  6 the Defendants pursuant to the provision  7 of the Massachusetts Rules of Civil  8 Procedure.  9 Formalities as to notice, caption,  10 certificate, and filing are waived.  11 All objections, except as to the form  12 of the question, are reserved to the  13 hearing. The reporter, being a notary  14 public, may swear the witness.  15 THE VIDEOGRAPHER: We're on  16 the record at 8:14 a.m. on February 21,  17 2014. This is the video deposition of  18 Russell Dunn, Ph.D., in re Boston  19 Scientific litigation. Will counsel  20 please introduce themselves.  21 MR. BOWMAN: This is Mike  22 Bowman, representing the Plaintiffs.  23 MS. SASTRE: Good morning,  24 Hildy Sastre, with Shook Hardy, on behalf  25 of the Defendants.</p>
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<p>1 APPEARANCES:  2 WEXLER WALLACE, L.L.P.  3 55 West Monroe Street, Suite 3300  4 Chicago, Illinois 60603  5 For the Plaintiff  6 BY: MICHAEL H. BOWMAN, ESQ.  7 SHOOK, HARDY &amp; BACON, L.L.P.  8 201 S. Biscayne Boulevard  9 Miami, Florida 33131  10 For the Defendant  11 BY: HILDY M. SASTRE, ESQ.  12 ALSO PRESENT:  13 VCE Digital, Videographers  14    15 INDEX  16 Witness Page  17 Russell F. Dunn, Ph.D.  18 Direct Examination ..... 5  19 Cross Examination ..... 341  20 Redirect Examination ..... 350  21    22 EXHIBITS  23 No. Description Page  24 1 PCT-147 Researched Documents  25 Volume I 31  26 2 PCT-147 Report, Digital Photos,  27 Microscopy, FTIR, GPC, XPS 31  28 3 Rule 26 Expert Report of PCT,  29 LLC - Diane Albright 34  30 4 Rule 26 Expert Report of PCT,  31 LLC - Deborah Barba 35  32 5 Notice of Deposition - Albright 35  33 6 Notice of Deposition - Barba 36  34 7 Flash Drive Containing Case,  35 Files, Testing, Photos 36</p>	<p>1 THE VIDEOGRAPHER: Would you  2 please swear in the witness.  3 RUSSELL F. DUNN, PH.D.,  4 having first been duly sworn, testified as  5 follows:  6 DIRECT EXAMINATION  7 BY MS. SASTRE:  8 Q. Good morning, Dr. Dunn.  9 A. Good morning.  10 Q. Could I get you to state your full  11 name for the record, please?  12 A. Russell Franklin Dunn.  13 Q. Doctor, I know we've met and had a  14 couple of moments to exchange pleasantries  15 before we went on the record, but I just  16 wanted to formally introduce myself to  17 you. I'm Hildy Sastre with Shook Hardy,  18 and we're here, as you know, to take your  19 deposition in a proceeding which is in  20 Massachusetts, a consolidated proceeding  21 there involving Boston Scientific and  22 pelvic mesh; you're aware of that?  23 A. I understand.  24 Q. Okay. Very good. And you also  25 actually, I would add on, you also have</p>

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<p>1 Q. Yes.</p> <p>2 A. Yes.</p> <p>3 Q. And I'm referring to the pelvic</p> <p>4 mesh litigation, but, yes.</p> <p>5 A. This is -- I don't recall any other</p> <p>6 case involving a medical product.</p> <p>7 Q. Uh-huh. Although you would agree</p> <p>8 there's lots of medical products that are</p> <p>9 manufactured from polypropylene?</p> <p>10 A. Correct.</p> <p>11 Q. And polypropylene has been used in</p> <p>12 the human body since the 1950's; right?</p> <p>13 A. I'm not debating that.</p> <p>14 Q. And in a variety of medical</p> <p>15 settings; correct?</p> <p>16 A. That's my understanding.</p> <p>17 Q. Okay. And is it your opinion, if</p> <p>18 we take mesh out of the question, do you</p> <p>19 hold an opinion that all polypropylene</p> <p>20 medical products are defective if they</p> <p>21 have an opportunity to come in contact</p> <p>22 with oxygen?</p> <p>23 A. That's oversimplifying it. You</p> <p>24 know, really when we look at product</p> <p>25 analysis we have to look at where the</p>	<p>1 Defendants?</p> <p>2 A. Oh, primarily Plaintiffs, or I</p> <p>3 would say 90 percent or greater is</p> <p>4 Plaintiffs, those are the attorneys that</p> <p>5 are contacting me.</p> <p>6 Q. Okay. When were you first retained</p> <p>7 in this litigation against Boston</p> <p>8 Scientific?</p> <p>9 A. If I recall it was around October.</p> <p>10 Q. Of 2013?</p> <p>11 A. 2013, yes. And because I can't</p> <p>12 tell you specifically -- I can look back</p> <p>13 and find some information, but because I</p> <p>14 was already working on the AMS litigation</p> <p>15 case it's hard for me to give you a</p> <p>16 definitive exact date right now.</p> <p>17 Q. And when was your report issued?</p> <p>18 A. Oh, I have to look back at the</p> <p>19 date, it should have a date on it.</p> <p>20 Q. I didn't see it.</p> <p>21 A. I'm surprised. I would have to</p> <p>22 look that up to be honest with you. I</p> <p>23 think that I might be able to find it from</p> <p>24 the billing.</p> <p>25 Q. Does December of 2013 sound right?</p>
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<p>1 product is ultimately going to be used, so</p> <p>2 as a scientist I would say that each of</p> <p>3 those situations would have to be looked</p> <p>4 at in detail individually. I can't make</p> <p>5 that broad a blanket statement.</p> <p>6 Q. Let me ask you specifically, and</p> <p>7 just tell me whether you have an opinion</p> <p>8 or not on this topic, but do you hold an</p> <p>9 opinion that polypropylene sutures are</p> <p>10 defective?</p> <p>11 A. I do not hold an opinion.</p> <p>12 Q. You don't know?</p> <p>13 A. No, that's not what I said. I said</p> <p>14 I don't hold an opinion. I haven't</p> <p>15 studied polypropylene sutures.</p> <p>16 Q. You agree that they certainly come</p> <p>17 into contact with oxygen; right?</p> <p>18 A. I have not studied polypropylene</p> <p>19 sutures. I would want to study that in</p> <p>20 detail.</p> <p>21 Q. In the list of cases that you've</p> <p>22 got here on Exhibit C to your CV --</p> <p>23 A. Yes.</p> <p>24 Q. What percentage of the time were</p> <p>25 you retained by the Plaintiffs versus</p>	<p>1 A. Yeah, if you only want the month,</p> <p>2 yes.</p> <p>3 Q. I remember a flurry of activity in</p> <p>4 December.</p> <p>5 A. That's easier for me to do.</p> <p>6 December, yes, that sounds right.</p> <p>7 Q. So you were retained by the</p> <p>8 Plaintiffs in this litigation against</p> <p>9 Boston Scientific in October of 2013;</p> <p>10 correct?</p> <p>11 A. Yes.</p> <p>12 Q. And your report was issued</p> <p>13 approximately two months later in</p> <p>14 December; right?</p> <p>15 A. Correct.</p> <p>16 Q. And within that period of time your</p> <p>17 testimony is you had an opportunity to</p> <p>18 review all of the materials which we've</p> <p>19 previously discussed, the depositions, the</p> <p>20 documents; correct?</p> <p>21 A. Again, I think my testimony was I</p> <p>22 scanned much of that. I can't -- and I</p> <p>23 think my testimony was that I can't tell</p> <p>24 you in looking at those Bates numbers</p> <p>25 whether I can definitively say that I saw</p>

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<p>1 right?</p> <p>2 A. Well, with GPC you're getting a</p> <p>3 molecular weight, so if you had degraded</p> <p>4 segments that are oxidized those would be</p> <p>5 averaged with segments that are not</p> <p>6 degraded that are in the bulk, thus it's</p> <p>7 going to give you the average of all of</p> <p>8 that collectively together.</p> <p>9 Q. And it would lower the average of</p> <p>10 the molecular weight; is that right?</p> <p>11 A. That is correct.</p> <p>12 MR. BOWMAN: I have nothing</p> <p>13 further.</p> <p>14 MS. SASTRE: Just a question</p> <p>15 or two.</p> <p>16 REDIRECT EXAMINATION</p> <p>17 BY MS. SASTRE:</p> <p>18 Q. Doctor, is it your sworn testimony</p> <p>19 today that FTIR testing is incapable of</p> <p>20 detecting surface degradation on</p> <p>21 polypropylene?</p> <p>22 A. No, that's not my testimony.</p> <p>23 Q. Because it can detect surface</p> <p>24 oxidation on polypropylene; correct?</p> <p>25 A. If it's significant -- if it's a</p>	<p>1 STATE OF TENNESSEE)</p> <p>2 ) ss</p> <p>3 COUNTY OF DAVIDSON)</p> <p>4 I, CYNTHIA ODOM, Certified Shorthand</p> <p>5 Reporter and Notary Public duly and</p> <p>6 qualified in and for the State of</p> <p>7 Tennessee do hereby certify there came</p> <p>8 before me the deponent herein, namely</p> <p>9 RUSSELL F. DUNN, PH.D., who was by me duly</p> <p>10 sworn to testify to the truth and nothing</p> <p>11 but the truth concerning the matters in</p> <p>12 this cause.</p> <p>13 I further certify that the foregoing</p> <p>14 transcript is a true and correct</p> <p>15 transcript of my original stenographic</p> <p>16 notes.</p> <p>17 I further certify that I am neither</p> <p>18 attorney or counsel for, nor related to or</p> <p>19 employed by any of the parties to the</p> <p>20 action in which this deposition is taken;</p> <p>21 and furthermore, that I am not a relative</p> <p>22 or employee of any attorney or counsel</p> <p>23 employed by the parties hereto or</p> <p>24 financially interested in the action.</p> <p>25</p>
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<p>1 sufficiently high quantity of oxidation,</p> <p>2 yes.</p> <p>3 MS. SASTRE: Okay. I have</p> <p>4 nothing further.</p> <p>5 MR. BOWMAN: Okay.</p> <p>6 MS. SASTRE: All set? Okay.</p> <p>7 Great. Thanks.</p> <p>8 THE VIDEOGRAPHER: That</p> <p>9 concludes the deposition, off the record,</p> <p>10 3:48 p.m.</p> <p>11 (Whereupon, the videotape</p> <p>12 deposition of Russell Dunn,</p> <p>13 Ph.D., was completed at 3:48</p> <p>14 p.m.)</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 IN WITNESS WHEREOF, I have hereunto</p> <p>2 set my hand and affixed my Notarial Seal</p> <p>3 this 6th day of March, 2014.</p> <p>4</p> <p>5</p> <p>6 CYNTHIA ODOM,</p> <p>7 NOTARY PUBLIC</p> <p>8 TNLCR#: 487</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

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1 IN WITNESS WHEREOF, I have hereunto  
2 set my hand and affixed my Notarial Seal  
3 this 28th day of February, 2014.  
4

5 Cynthia Odom  
6 CYNTHIA ODOM,  
7 NOTARY PUBLIC  
8 TNLCR#: 487  
9

